

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION**

KIMBERLY MEADOR, INDIVIDUALLY,)	
AND AS GUARDIAN FOR L.M., A MINOR;)	
AMOS STANDARD, INDIVIDUALLY, AND)	
ON BEHALF OF THE ESTATE OF SHARI)	
STANDARD, DECEASED; AND RUSSELL)	
JONES, INDIVIDUALLY, AND ON BEHALF)	
OF THE ESTATE OF SANDRA JONES,)	No. 6:15-cv-00715-MHS
DECEASED;)	
)	
Plaintiffs,)	
v.)	
APPLE, INC.;)	
)	
Defendant.)	
)	

PLAINTIFFS' NOTICE OF SUPPLEMENTAL AUTHORITY

Plaintiffs submit this notice of supplemental authority to the Court to be considered in connection with Plaintiffs' Motion to Compel (Dkt. # 32) pending in the above-captioned case.

Supplemental Authority:

- (1) *Graham v. EnSCO Offshore Co.*, No. 13-6588, 2015 U.S. Dist. LEXIS 24241, at *6 (E.D. La. 2015)(The court rejects defendant's subsequent remedial measures argument as a basis for preventing discovery of this material. Fed. R. Civ. P. 26(b)(1) expressly provides that "[r]elevant information need not be admissible at the trial if the discovery appears reasonably calculated to lead to the discovery of admissible evidence."); see also, *Brazos River Auth. v. GE Ionics, Inc.*, 469 F.3d 416, 429 (5th Cir. 2006).
- (2) *Grenada Steel Industries, Inc. v. Alabama Oxyxygen Co.*, 695 F.2d 883, 886-887 (5th Cir. 1983)(Rule 407 "does not require the exclusion of evidence of subsequent measures when offered for another purpose, such as proving...feasibility of precautionary measures, if controverted...").

Dated: May 27, 2016.

Respectfully submitted,

/s/ Gregory P. Love
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Certificate of Service

I certify that on May 27, 2016, a copy of the forgoing document was electronically filed on the CM/ECF system per Local Rule CV-5(a)(3), which will automatically serve a Notice of Electronic Filing on the following attorneys of defendant, Apple, Inc., who are deemed to have consented to electronic service:

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